

HM PRISON SHOTTS VISITING COMMITTEE



ANNUAL REPORT

**Year Ending
31 March 2011.**

1. Statutory Role of the Visiting Committee

1.1 The statutory responsibilities of Visiting Committees and their members are set out in Part 17 of The Prisons and Young Offenders Institutions (Scotland) Rules 2006 made under section 8(2) of the Prisons (Scotland) Act 1989 (c.45). That states:

“Rules made under section 39 of this Act shall prescribe the functions of visiting committees, and shall among other things require the members to pay frequent visits to the prison and hear any complaints which may be made by the prisoners and report to [Scottish Ministers] any matter which they consider it expedient to report; any member of a visiting committee may at any time enter the prison and shall have free access to every part thereof and to every prisoner”.

1.2 A Visiting Committee is specifically charged to:

- co-operate with Scottish Ministers and the Governor in promoting the efficiency of the prison;
- inquire into and report to Scottish Ministers upon any matter into which they may ask them to inquire;
- immediately bring to the attention of the Governor any circumstances pertaining to the administration of the prison or the condition of a prisoner when they consider this necessary; if the Governor has not remedied matters within a reasonable period of time, they shall bring the matter to the notice of Scottish Ministers;
- from time to time, inquire into the state of the prison premises and inspect the food and drink provided to the prisoners and if at any time they find these unsatisfactory, record any deficiencies in their minute book and send a copy to Scottish Ministers and the Governor;
- hear and investigate any applications or complaints which prisoners may make to them and report their findings to the Governor and Scottish Ministers;
- visit the prison fortnightly by not fewer than two of its members;
- at its discretion inspect prison records other than personal records, prisoners’ records and security manuals or other papers which have implications for security and make a note of their inspection in their minutes;
- make an annual report for the period of 12 months ending on the 31st March each year to Scottish Ministers about the state of the establishment and its administration and include any advice and suggestions they consider appropriate.

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Section 3. Description of H.M. Prison Shotts

3.1 HM Prison Shotts

3.1.1 HM Prison Shotts is a maximum-security prison for long term adult male prisoners. The prison is situated in countryside south of the M8 motorway near the Lanarkshire village of Shotts. Purpose built in 1978 it caters for long term male prisoners (sentences of 4 years and over) who are transferred from other establishments and who require to be kept in secure conditions. The prison includes two national facilities within its establishment: the National Induction Centre and Kerr House.

3.2 National Induction Centre (NIC)

3.2.1 The NIC, is a national facility and holds approximately 115 adult male prisoners who are in the initial stages of sentences of 10 years or over and prepares them for eventual movement to mainstream establishments. During the first 3 - 6 months of their sentences the Centre provides a supportive regime for all prisoners (excluding sex offenders) sentenced to life or 8 years or over. Other prisoners may be taken into the NIC should this be considered beneficial.

3.2.2 The regime is intended to assist prisoners cope with the personal consequences of their offending behaviour and the impact of their sentence. It seeks to prepare them for transfer to mainstream within the context of the Sentence Management model. That process is informed by risk and needs assessment work carried out, with the prisoners' involvement during their time in the NIC.

3.2.3 Information on topics such as stress management, inter-personal and social skills and the prison system are delivered by way of group work. Emphasis is placed on building the prisoner's relationship with his Personal Officer to help him adjust to and plan out his sentence. While industry forms an integral part of the regime, it is orientated towards craftwork type activities and is supported by personal fitness programmes.

3.3 Kerr House

2.3.1 In March 2007, Kerr House became the new National "Top End" facility. The facility is situated within the perimeter of the establishment and offers low supervision prisoners an opportunity of participating in a less structured and regimented regime. The provision aims to provide prisoners with appropriate opportunities in preparing for release and holds approximately 52 prisoners. Kerr House also holds its own visits room.

2.4 New Estate

2.4.1 The building works for the new prison with upgraded facilities continues to progress on schedule – this despite a particularly harsh winter. The first phase of prisoner transfers is planned for the 19th May 2011 and a number of staff have been working extremely hard planning for a smooth transition. The Committee is kept informed on developments and members have made a number of visits to the site as building progresses.

Section 4 Executive Summary

4.1 During the reporting period members of the Committee have responded to 76 prisoner requests; the figure represents a decrease of 21% over the previous reporting year. Health related concerns remained the chief reason for prisoner requests, with complaints associated with progression following closely behind. With responsibility of health services transferring to NHS Lanarkshire later this year, the Committee will take interest in the future operations of the service.

4.2 Recorded breaches of discipline occurring in the prison for the calendar year 2010 have dropped by approximately one-third compared to 2009. This reduction is to be welcomed.

4.3 The Committee saw a number of changes in membership at the beginning of the reporting period. Vacancies accruing from membership losses were quickly filled and the position has remained stable throughout the year with no vacancies existing on the Committee.

4.4 The Committee has again benefited over the year by having a senior manager acting as VC Liaison Officer. The initiative continues to benefit the work of the VC, and human resource management at the prison.

4.5 Prisoner transfer to the new prison is scheduled for May 2011. The Committee will be interested in the transition and prisoners' views on their new accommodation.

Section 5 Formal Areas for Reporting

5.1 Healthcare:

5.1.1 Healthcare has again been the most prominent reason for applications to the visiting committee during the reporting period. This mirrors previous years and whilst it is recognised that statistics should be treated with a degree of caution, it is concerning that the number of healthcare related requests to the VC remains high. While this year's figures show a reduction in referrals to the Committee, which we believe may be due to an improved dentistry service, we note that prisoner healthcare complaints logged under the formal CP system for the year were also the highest cause of prisoner concern. Indeed, healthcare complaints under the system represented a third of all grievances made by prisoners.

5.1.2 NHS Lanarkshire will be taking over responsibility for healthcare provision toward the end of 2011. The Committee waits with interest how this significant change will impact on prisoner healthcare.

5.2 Mental Health:

5.2.1 This year again saw no mental health applications being made to the Committee. The consultant psychiatrist who provides a service to the prison, advises that approximately 100 prisoners are seen in relation to mental disorder; approximately 20% of these present with a form of psychosis. 5 prisoners were been dealt with under relevant mental health/criminal procedures legislation, but the majority of prisoners suffer from the complex psychological and psychiatric effects associated with coming to terms with a long period of incarceration.

5.2.2 Shotts has 9 trained 'Listeners' with a further 2 awaiting security clearance. Between February 2010 and January 2011, 30 calls had been made on the service. The list of calls show reasons being; suicidal thinking, emotional difficulties, drugs, prisoner progression difficulties, family and bereavement issues.

5.3 Addictions

5.3.1 The range of services available in the prison is wide and includes advice on harm reduction, individual counselling, alcohol awareness groups, HIV/Hepatitis C awareness, smoking cessation and relapse prevention. Services are usually provided through the Self-Management and Recovery Training programme (S.M.A.R.T.).

5.3.2 A number of clinical interventions are available, but by far the most prominent in use is a methadone programme. Unless a prisoner arrives at Shotts already prescribed methadone, entry to the programme is by way of assessment. The main objective of the programme is to encourage prisoners into treatment, stabilise the habit, and aim towards reduction and/or drug free status. The importance of bringing stability to a prisoner's addiction problem is not underestimated, for only through settlement can a prisoner be fully enabled to participate constructively in prison activities.

5.4 Food

5.4.1 Members of the Committee make regular checks on food provided to prisoners. These checks have found the quality of meals to be of a good standard. There have been just two referrals in the past year relating to food. Prisoner satisfaction has been found to be generally good. Prisoners pre-order their meals from a menu which includes options for special dietary needs and healthy eating.

5.4.2 Kitchen staff rightly take pride in their work and in the quality of meals that are produced. They try to instil such values in the prisoners who are directed to work in the kitchen. Good standards of hygiene are maintained through sound quality control measures.

5.4.3 Arrangements for the dietary requirements of ethnic minority prisoners, or those who have particular needs because of a medical condition, appear to work well.

5.4.4 HMP Shotts makes its own bread and rolls which is a good cost saving exercise and affords an additional learning experience for prisoners employed in the kitchen. The system also affords an opportunity for kitchen managers to add variety to the menu through the transfer of resources which the practice allows. Prisoners speak highly about the quality of the bread produced. Concern expressed in our annual report last year, that facilities for bread making would not be made available in the new prison, has been subject of further consideration and the Committee is pleased to report that these arrangements will now continue to be available following the move in May 2011. This is welcome news given the added value brought to prisoners.

5.4.5 A Food Focus Group meets quarterly where prisoners can raise and discuss any catering issues and influence future menu choices. Theme nights are held on a regular basis throughout year which are very popular with prisoners.

5.5 Equality and Diversity

5.5.1 All new admissions are provided with an explanation on the routines and regime within the prison. Information specifically for ethnic minority prisoners is available and translation services can be accessed should this be necessary. A race relations policy is in place and focus groups are held in which the views of ethnic minority prisoners are sought. A member of the VC attends these groups whenever possible. Where feasible, cultural events are also arranged. By way of example, the Imam of the Glasgow Central mosque invited staff to the place of worship and learning last year.

5.6 Education, Training and Work

5.6.1 There is both a breadth and depth to the courses offered ranging from basic literacy and numeracy skills to university degrees. The standard of work produced in the art classes is of a high standard while those participating in the information technology classes gain a great deal from the experience. The Committee is pleased to note that prisoners attending education classes are generally not disadvantaged financially because of not being at work, although some 'bonus' pay may be lost by those prisoners who work under these incentive arrangements. Other prisoners, however, can benefit from attending classes as a result of the status/banding system operated at Shotts.

5.6.2 There is also a variety of employment available in the prison. These range from kitchen and laundry work to bicycle repair, and wood and metal workshops. While prisoners are kept busy in most work locations times arise when there seems little activity in some work areas. This usually relates to slack times in work orders. Unfortunately, a small number of prisoners are reluctant to avail themselves of work opportunities.

5.6.2 In addition to the above possibilities, there are a number of courses which seek to address offending behaviour. Included in these are the Constructs programme which looks to assist participants becoming better problem solvers in areas that might typically have resulted in their offending behaviour, the CARE programme (Controlling Anger, Regulating Emotions), which focuses through various modules, on the dynamics

associated with anger control, and the Substance Related Offending Behaviour Programme that is designed for medium and high-risk offenders who have significant problems with alcohol and illicit drugs.

5.7 Residential Accommodation

5.7.1 The NIC, B Hall, C Hall, and D Hall are almost identical in size and design. The standard of decoration and cleanliness has been found to be acceptable when members visit the accommodation. Similar comments can be made in respect of Kerr House.

5.8 Prison Estate and Administration

5.8.1 Members generally view the prison estate, and its administration, as being well run and organised. The Phase 1 new build programme has naturally caused some disruption, but the building work is forging ahead on schedule.

Section 6 Other Areas of Reporting

6.1 Induction:

6.2 All prisoners transferring to HMP Shotts are assessed for the level of induction required. The induction process is carried out within the Unit as soon as possible after the prisoner arrives at Shotts.

6.3 Induction for NIC prisoners lasts for approximately six months. Prisoners accommodated in other halls are offered a limited programme of approximately two days each month which is available on a voluntary basis. An average of eight prisoners each month avail themselves of the programme.

6.4 Post induction, the Integrated Case Management (ICM) Co-ordinator organises all scheduled ICM case conferences. Programmes such as START, Sycamore, food handling, Heartstart, smoking cessation, etc. take place within the OOU. Pre-release meetings with Job Centre Plus are scheduled on a monthly basis. During the reporting period 92 prisoners had been invited to these meetings. The Samaritan 'Listeners' attend the Unit twice each month to meet with the prisoner 'Listeners', and an Alcoholics Anonymous group meet there weekly with any prisoners wishing to attend.

6.1.1 Staffing

6.1.2 The prison has again seen a period of change in senior managers over the reporting year and the Committee remains somewhat concerned at the volume of these changes. The Committee recognises that certain changes have been unavoidable and hope that a more settled period in senior management will eventually ensue.

6.2.1 Orderly Room/Breaches of Discipline

6.2.2 Shotts operate a two tier disciplinary system with unit managers in the halls dealing with minor reports. More serious reports are adjudicated on by a senior manager in the Orderly Room which is located in the Segregation Unit.

6.2.3 For the 2010 calendar year, a total of 1371 breaches of discipline were recorded. The figure represents a significant reduction on the previous year when 2044 breaches were recorded. As with the previous year, the highest numbers of indiscipline involved prisoners disobeying a lawful order and breaches related to prisoners being in possession of unauthorised articles or substances. Managers, in dealing with disciplinary matters, also make use of suspended punishments which is, in the view of the VC, a practical and sensible use of available powers.

6.2.4 Members of the Committee regularly attend orderly room adjudications. No concerns have been raised on the conduct of these hearings. Members are also able to attend appeals made by prisoners against orderly room judgements.

6.2.5 The prison has seen some upsurge in violence between prisoners over the reporting period. This has naturally been cause of concern for the VC and the staff who are required to deal with the violent behaviour. The manifestation of acts of aggression will have a variety of causes and the VC is confident that prison staff make strenuous effort in preventing acts of violence whenever possible. When prevention has not proved possible, members of the Committee are satisfied that incidents have been managed in a professional manner.

Section 7 Work and Membership of the Visiting Committee

7.1 Membership during the reporting period with individual attendances:

| Visiting Committee Membership and Statistics | | |
|---|----------------------|--------------------|
| | Prison Visits | VC Meetings |
| <u>North Lanarkshire Council Appointees</u> | | |
| Alyson Allison (resigned May 2010) | 0 | 0 |
| Samuel Barr | 9 | 4 |
| Michael Baxter (Chairman) | 11 | 6 |
| Theresa Gallagher | 9 | 5 |
| William Golligher | 7 | 2 |
| Charles Hebenton | 30 | 6 |
| Andrew Jordan (Vice Chairman) | 17 | 6 |
| William Kane (appointed June 2010) | 0 | 2 |
| Ann Marie McPartland (appointed June 2010) | 1 | 0 |
| John Sim (resigned April 2010) | 0 | 0 |
| Cllr Gordon Stewart | 6 | 4 |
| <u>South Lanarkshire Council Appointees</u> | | |
| Cllr Andy Carmichael | 3 | 1 |
| Angela Connor (appointed April 2010) | 7 | 2 |
| Cllr Ian Gray (Training Officer) | 14 | 5 |
| Cllr Archie Manson (resigned May 2010) | 0 | 0 |
| Cllr James McGuigan (appointed May 2010) | 6 | 3 |
| Cllr David McLachlan | 5 | 4 |
| Cllr Patrick Ross-Taylor | 5 | 3 |
| Yvonne McCabe | 9 | 3 |
| Felix O'Hagan | 8 | 3 |

7.2 Visiting Committee Statistics

| Visiting Committee Statistics | | |
|---|---------|---------|
| | 2009/10 | 2010/11 |
| Recommended complement of VC members (Rule 155) | 17 | 17 |
| Number of VC members at start of the reporting period | 14 | 16 |
| Number of VC members at end of the reporting period | 16 | 17 |
| Number of new VC members joining within the reporting period | 6 | 4 |
| Number of VC members leaving within the reporting period | 4 | 3 |
| Total number of VC committee meetings during the reporting period | 7 | 6 |
| Average number of attendances at Board meetings during reporting period | 8 | 10 |
| Total number of applications/complaints received | 96 | 76 |
| Total number of visits to the prison | 160 | 157 |

7.3 Prisoner Applications by Category

| Applications/Complaints Statistics | | |
|------------------------------------|-----------|-----------|
| Subject | 2009/10 | 2010/11 |
| Accommodation | 1 | 0 |
| Diversity related | 0 | 1 |
| Education/training/work | 13 | 5 |
| Estate issues (conditions) | 0 | 0 |
| Family/visits | 14 | 8 |
| Food | 1 | 2 |
| Health related | 32 | 20 |
| Inter-establishment transfers | 13 | 8 |
| Personal property | 3 | 5 |
| Staff/Prisoner related | 12 | 4 |
| Progression | n/a | 17 |
| Miscellaneous | 7 | 6 |
| | | |
| Total | 96 | 76 |

7.3.1 As indicated above a total of seventy-six requests were made to the VC by prisoners during the reporting period which represents a 21% fall in applications over the previous year.

7.3.2 The figures show the highest category of referral as being health related. This position has been consistent over recent years. Of some reassurance to the Committee, is that this year's figure represents a 37% reduction in prisoner complaints about health issues from the previous year. We hope this fall is, in part at least, the result of representations made by the VC and the actions taken by staff to rectify certain service shortcomings, particularly in relation to dental care. While this significant reduction in complaints is welcome, this year's health figures are still higher than those reported for year end March 2009. The Committee will look with interest at future referral rates given that NHS Lanarkshire will be assuming responsibility for health care in prisons later this year.

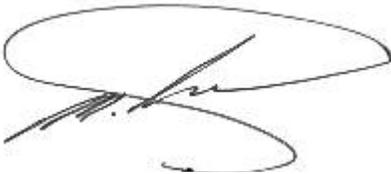
7.3.3 The number of complaints being heard by members of the VC associated with issues of progression has proved to be the second highest reason for referral over the reporting period, despite the fact that 44 prisoners from Shotts moved to the Open Estate in 2010. We recognise the difficult issues surrounding progression, particularly after the publication of Professor Spencer's report¹ and the HMIP review which followed². The Committee will, however, continue to monitor any local issues that may impede suitable prisoners' movement to less restrictive conditions.

¹ Professor Alec Spencer (2009) *Balancing Risk and Need: Review of the decision to send Brian Martin to open conditions in the light of his subsequent absconding from the Open Estate on 18 May 2009 and issues highlighted as a consequence*. Scottish Government.

² HMIP (2011) *Review of the Arrangements for Progressing Prisoners from Closed to Open Conditions*. Scottish Government.

Section 8 Concluding comment

8.1 Last year the Committee reported on the appointment of a VC Liaison Officer (Head of Offender Outcomes). This was much welcomed by the VC and produced a noticeable increase in efficiency surrounding, among other things, arrangements for problem resolution, and for organisation and planning requirements. These benefits have continued over 2010/2011 and the VC wishes to express its appreciation of the work undertaken by the member of staff involved.



Mike Baxter
Chairman